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Commonwealth of Virginia

STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 29, 1999

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

v.

CASE NO. INS990018

CAROLYN V. PENCE,

Defendant

JUDGMENT ORDER

A Rule to Show Cause was issued initiating this case on January 28, 1999, for the reasons stated therein. The Commission conducted a show cause hearing on April 22, 1999, in which the Bureau of Insurance appeared represented by counsel and the Defendant appeared and was represented by counsel;

Pursuant to § 38.2-220 of the Code of Virginia, on April 22, 1999, the Commission having heard the evidence presented in this case, as well as the arguments of counsel, finds the Defendant GUILTY of criminal contempt, for her violation of the INJUNCTION issued by the Commission in Case No. INS980139 on September 15, 1998, by acting as an agent, as that term is defined in § 38.2-1822 of the Code of Virginia, after her license to transact the business of insurance as an agent had been revoked and she had been enjoined for a period of ten years from acting as an agent; and

In consideration of the Defendant's record before this Commission, the Commission deems it warranted that the Defendant be sentenced to jail for one hundred twenty (120) days and fined five hundred dollars (\$500).

THEREFORE, IT IS ORDERED THAT:

- 1) The Defendant be, and she is hereby, found GUILTY of criminal contempt for violating an INJUNCTION of the Commission, issued in Case No. INS980139 on September 15, 1998;
- 2) The Defendant is sentenced to one hundred twenty (120) days in jail and fined in the amount of five hundred dollars (\$500);
- 3) The execution of the sentence and payment of fine are SUSPENDED, conditioned upon the Defendant's faithful compliance with the Commission's INJUNCTION issued in Case No. INS980139 on September 15, 1998;
- 4) During the twelve months next from April 22, 1999, the Bureau of Insurance shall periodically investigate the Defendant to determine her continued compliance with the Commission's Orders, and report immediately to the Commission any violations thereof. Periodic investigation of the Defendant shall mean active investigation of the Defendant's business affairs in her home community shall occur no more frequently than once per month unless there is reasonable cause to believe the Defendant has continued to violate any Orders of this Commission.
- 5) The Bureau of Insurance shall contact each insurer with whom the Defendant has had recent contact, and advise it that the Defendant is not licensed to transact the business of insurance, including acting as an agent as that term is defined in § 38.2-1822, Code

of Virginia, and request those insurers to take such measures as they deem necessary for the protection of the insured persons; and

- 6) The papers herein be placed in the file for ended causes, with leave granted the Bureau of Insurance to immediately reinstate this case upon motion alleging any violation of the condition upon which the jail sentence and fine imposed against the Defendant was suspended.